Claims 5, 15 and 25 have been objected to as being of improper dependent form for failing to further limit the subject matter of a previous claim. These claims have been cancelled. In addition, claims 6, 7, 16, 17, 26, and 27 have been amended to change the claims they depend from. Finally, claims 21 and 32 have been amended to add the word "card" after the word "smart" so as to be consistent with the rest of the claim.

Claims 1-6, 9 and 10 stand rejected under 35 U.S.C. 102 (b) as being anticipated by U.S. Patent No. 4,575,621 to Dreifus. This rejection is respectfully traversed.

Independent claim 1 recites, among other features, that "after distribution of the data to the user, prompting the user to enter a private key each time the user wants to use the data, wherein the user inserts the smart card into a smart card reader connected to the device and activates the smart card, wherein the device decrypts the encrypted data using the private key." It is respectfully submitted that Dreifus does not disclose that "the device decrypts the encrypted data using the private key" as is recited in claim 1. Dreifus explicitly teaches that the card does the decoding of the message (data) in column 5, lines 15-30. Thus, it is respectfully submitted that claims 1-6, 9 and 10 are not anticipated by Dreifus for at least the reason set forth above.

Claim 7 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Dreifus in view of U.S. Patent No. 4,944,007 to Austin. In addition, claim 8 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Dreifus. It is respectfully submitted that Austin does not overcome the deficiencies of Driefus as set forth above with reference to independent claim 1. As a result, dependent claims 7 and 8 are allowable over Driefus and Austin both separately or in combination.

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Claims 21, 24, 25, 30-32 stand rejected under 35 U.S.C. 102 (b) as being anticipated by U.S. Patent No. 5,673,316 to Auerbach et al. This rejection is respectfully traversed.

Independent claims 21 and 32 both recite, among other features, that "after distribution of the data to the user, prompting the user to enter at least one private key each time the user wants to use the data, wherein the at least one private key is stored on a smart card and the at least one private key is usable but not known by the user and the at least one private key can not be used until the card is activated by authenticating that the user is authorized to use the smart card, wherein the user inserts the smart card into a smart card reader connected to the device and activates the smart card, wherein the device decrypts the encrypted data using the private key." In other words, after the data has been sent to the user but before the data can be decrypted using the private key, the card has to be activated by authenticating that the user is authorized to use the smart card. In Auerbach et al., the Buy Server (BS) authenticates the user <u>before</u> the data is sent to the user. (Col. 10, lines 6-34). Once the data is sent to the user, the DFWM cheks the authenticity of the Buy Request Message (BRM) but there is no check that the user is authorized to use the DFWM. Thus, Auerbach et al. does not disclose authenticating the user after the encrypted data is sent to the user as is recited in independent claims 21 and 32. Thus, it is respectfully submitted that claims 21, 24, 25 and 30-32 are not anticipated by Dreifus for at least the reason set forth above.

Claims 22, 23, 26, and 29 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Auerbach et al in view of U.S. Patent No. 4,575,621 to Dreifus. In addition, claim 27 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Auerbach et al. in view of U.S. Patent No. 4,944,007 to Austin. Finally, claim 28 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Auerbach. It is respectfully

submitted that Austin and Dreifus do not overcome the deficiencies of Auerbach et al. as set forth above with reference to independent claims 21 and 32. As a result, dependent claims 22, 23, 26-29 are allowable over Auerbach et al., Driefus and Austin both separately or in combination.
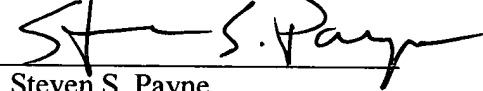
Applicant notes with appreciation the indication that claims 11-14 and 16-20 have been allowed.

In view of the above, it is respectfully submitted that the application is now in condition for allowance. Prompt notice of same is earnestly solicited. If the Examiner believes that a telephone interview may expedite the prosecution of the Application, the Examiner is invited to contact the below attorney at the indicated telephone number.

Respectfully submitted,

Arator IP Law Group PLLC

By: _____

Steven S. Payne
Registration No. 35,316

Date: June 13, 2006

Arator IP Law Group PLLC
1101 17th Street N.W. Suite 1005
Washington DC 20036
Phone: 202-828-9299
Fax: 202-828-9399

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